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1ST SESSION

H. R. 694

IN THE SENATE OF THE UNITED STATES

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Read twice and referred to the Committee on Commerce, Science, and
Transportation

AN ACT

To establish a digital and wireless network technology
program, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Minority Serving Insti-
3 tution Digital and Wireless Technology Opportunity Act
4 of 2007”.

5 **SEC. 2. ESTABLISHMENT OF PROGRAM.**

6 Section 5 of the Stevenson-Wydler Technology Inno-
7 vation Act of 1980 (15 U.S.C. 3704) is amended by insert-
8 ing the following after subsection (b):

9 “(c) MINORITY SERVING INSTITUTION DIGITAL AND
10 WIRELESS TECHNOLOGY OPPORTUNITY PROGRAM.—

11 “(1) IN GENERAL.—The Secretary shall estab-
12 lish a Minority Serving Institution Digital and Wire-
13 less Technology Opportunity Program to assist eligi-
14 ble institutions in acquiring, and augmenting their
15 use of, digital and wireless networking technologies
16 to improve the quality and delivery of educational
17 services at eligible institutions.

18 “(2) AUTHORIZED ACTIVITIES.—An eligible in-
19 stitution may use a grant, cooperative agreement, or
20 contract awarded under this subsection—

21 “(A) to acquire equipment, instrumenta-
22 tion, networking capability, hardware and soft-
23 ware, digital network technology, wireless tech-
24 nology, and infrastructure to further the objec-
25 tive of the Program described in paragraph (1);

1 “(B) to develop and provide training, edu-
2 cation, and professional development programs,
3 including faculty development, to increase the
4 use of, and usefulness of, digital and wireless
5 networking technology;

6 “(C) to provide teacher education, includ-
7 ing the provision of preservice teacher training
8 and in-service professional development at eligi-
9 ble institutions, library and media specialist
10 training, and preschool and teacher aid certifi-
11 cation to individuals who seek to acquire or en-
12 hance technology skills in order to use digital
13 and wireless networking technology in the class-
14 room or instructional process, including instruc-
15 tion in science, mathematics, engineering, and
16 technology subjects;

17 “(D) to obtain capacity-building technical
18 assistance, including through remote technical
19 support, technical assistance workshops, and
20 distance learning services; and

21 “(E) to foster the use of digital and wire-
22 less networking technology to improve research
23 and education, including scientific, mathe-
24 matics, engineering, and technology instruction.

1 “(3) APPLICATION AND REVIEW PROCE-
2 DURES.—

3 “(A) IN GENERAL.—To be eligible to re-
4 ceive a grant, cooperative agreement, or con-
5 tract under this subsection, an eligible institu-
6 tion shall submit an application to the Sec-
7 retary at such time, in such manner, and con-
8 taining such information as the Secretary may
9 require. Such application, at a minimum, shall
10 include a description of how the funds will be
11 used, including a description of any digital and
12 wireless networking technology to be acquired,
13 and a description of how the institution will en-
14 sure that digital and wireless networking will be
15 made accessible to, and employed by, students,
16 faculty, and administrators. The Secretary, con-
17 sistent with subparagraph (C) and in consulta-
18 tion with the advisory council established under
19 subparagraph (B), shall establish procedures to
20 review such applications. The Secretary shall
21 publish the application requirements and review
22 criteria in the Federal Register, along with a
23 statement describing the availability of funds.

24 “(B) ADVISORY COUNCIL.—The Secretary
25 shall establish an advisory council to advise the

1 Secretary on the best approaches to encourage
2 maximum participation by eligible institutions
3 in the program established under paragraph
4 (1), and on the procedures to review proposals
5 submitted to the program. In selecting the
6 members of the advisory council, the Secretary
7 shall consult with representatives of appropriate
8 organizations, including representatives of eligi-
9 ble institutions, to ensure that the membership
10 of the advisory council includes representatives
11 of minority businesses and eligible institution
12 communities. The Secretary shall also consult
13 with experts in digital and wireless networking
14 technology to ensure that such expertise is rep-
15 resented on the advisory council.

16 “(C) REVIEW PANELS.—Each application
17 submitted under this subsection by an eligible
18 institution shall be reviewed by a panel of indi-
19 viduals selected by the Secretary to judge the
20 quality and merit of the proposal, including the
21 extent to which the eligible institution can effec-
22 tively and successfully utilize the proposed
23 grant, cooperative agreement, or contract to
24 carry out the program described in paragraph
25 (1). The Secretary shall ensure that the review

1 panels include representatives of minority serv-
2 ing institutions and others who are knowledge-
3 able about eligible institutions and technology
4 issues. The Secretary shall ensure that no indi-
5 vidual assigned under this subsection to review
6 any application has a conflict of interest with
7 regard to that application. The Secretary shall
8 take into consideration the recommendations of
9 the review panel in determining whether to
10 award a grant, cooperative agreement, or con-
11 tract to an eligible institution.

12 “(D) INFORMATION DISSEMINATION.—The
13 Secretary shall convene an annual meeting of
14 eligible institutions receiving grants, cooperative
15 agreements, or contracts under this subsection
16 to foster collaboration and capacity-building ac-
17 tivities among eligible institutions.

18 “(E) MATCHING REQUIREMENT.—The
19 Secretary may not award a grant, cooperative
20 agreement, or contract to an eligible institution
21 under this subsection unless such institution
22 agrees that, with respect to the costs incurred
23 by the institution in carrying out the program
24 for which the grant, cooperative agreement, or
25 contract was awarded, such institution shall

1 make available, directly, or through donations
2 from public or private entities, non-Federal con-
3 tributions in an amount equal to one-quarter of
4 the grant, cooperative agreement, or contract
5 awarded by the Secretary, or \$500,000, which-
6 ever is the lesser amount. The Secretary shall
7 waive the matching requirement for any institu-
8 tion or consortium with no endowment, or an
9 endowment that has a current dollar value
10 lower than \$50,000,000.

11 “(F) AWARDS.—

12 “(i) LIMITATION.—An eligible institu-
13 tion that receives a grant, cooperative
14 agreement, or contract under this sub-
15 section that exceeds \$2,500,000 shall not
16 be eligible to receive another grant, cooper-
17 ative agreement, or contract.

18 “(ii) CONSORTIA.—Grants, coopera-
19 tive agreements, and contracts may only be
20 awarded to eligible institutions. Eligible in-
21 stitutions may seek funding under this
22 subsection for consortia which may include
23 other eligible institutions, a State or a
24 State education agency, local education
25 agencies, institutions of higher education,

1 community-based organizations, national
2 nonprofit organizations, or businesses, in-
3 cluding minority businesses.

4 “(iii) PLANNING GRANTS.—The Sec-
5 retary may provide funds to develop stra-
6 tegic plans to implement such grants, co-
7 operative agreements, or contracts.

8 “(iv) INSTITUTIONAL DIVERSITY.—In
9 awarding grants, cooperative agreements,
10 and contracts to eligible institutions, the
11 Secretary shall ensure, to the extent prac-
12 ticable, that awards are made to all types
13 of institutions eligible for assistance under
14 this subsection.

15 “(v) NEED.—In awarding funds
16 under this subsection, the Secretary shall
17 give priority to the institution with the
18 greatest demonstrated need for assistance.

19 “(G) ANNUAL REPORT AND EVALUA-
20 TION.—

21 “(i) ANNUAL REPORT REQUIRED
22 FROM RECIPIENTS.—Each institution that
23 receives a grant, cooperative agreement, or
24 contract awarded under this subsection
25 shall provide an annual report to the Sec-

retary on its use of the grant, cooperative agreement, or contract.

“(ii) INDEPENDENT ASSESSMENT.—

Not later than 6 months after the date of enactment of this subsection, the Secretary shall enter into a contract with the National Academy of Public Administration to conduct periodic assessments of the program. The Assessments shall be conducted once every 3 years during the 10-year period following the enactment of this subsection. The assessments shall include an evaluation of the effectiveness of the program in improving the education and training of students, faculty and staff at eligible institutions that have been awarded grants, cooperative agreements, or contracts under the program; an evaluation of the effectiveness of the program in improving access to, and familiarity with, digital and wireless networking technology for students, faculty, and staff at all eligible institutions; an evaluation of the procedures established under paragraph (3)(A); and recommendations for improving the program,

1 including recommendations concerning the
2 continuing need for Federal support. In
3 carrying out its assessments, the National
4 Academy of Public Administration shall re-
5 view the reports submitted to the Secretary
6 under clause (i).

7 “(iii) REPORT TO CONGRESS.—Upon
8 completion of each independent assessment
9 carried out under clause (ii), the Secretary
10 shall transmit the assessment to Congress
11 along with a summary of the Secretary’s
12 plans, if any, to implement the rec-
13 ommendations of the National Academy of
14 Public Administration.

15 “(H) DEFINITIONS.—In this subsection:

16 “(i) DIGITAL AND WIRELESS NET-
17 WORKING TECHNOLOGY.—The term ‘dig-
18 ital and wireless networking technology’
19 means computer and communications
20 equipment and software that facilitates the
21 transmission of information in a digital
22 format.

23 “(ii) ELIGIBLE INSTITUTION.—The
24 term ‘eligible institution’ means an institu-
25 tion that is—

1 “(I) a historically Black college
2 or university that is a part B institu-
3 tion, as defined in section 322(2) of
4 the Higher Education Act of 1965 (20
5 U.S.C. 1061(2)), an institution de-
6 scribed in section 326(e)(1)(A), (B),
7 or (C) of that Act (20 U.S.C.
8 1063b(e)(1)(A), (B), or (C)), or a
9 consortium of institutions described in
10 this subparagraph;

11 “(II) a Hispanic-serving institu-
12 tion, as defined in section 502(a)(5)
13 of the Higher Education Act of 1965
14 (20 U.S.C. 1101a(a)(5));

15 “(III) a tribally controlled college
16 or university, as defined in section
17 316(b)(3) of the Higher Education
18 Act of 1965 (20 U.S.C. 1059c(b)(3));

19 “(IV) an Alaska Native-serving
20 institution under section 317(b) of the
21 Higher Education Act of 1965 (20
22 U.S.C. 1059d(b));

23 “(V) a Native Hawaiian-serving
24 institution under section 317(b) of the

1 Higher Education Act of 1965 (20
2 U.S.C. 1059d(b)); or

3 “(VI) an institution of higher
4 education (as defined in section 365
5 of the Higher Education Act of 1965
6 (20 U.S.C. 1067k)) with an enroll-
7 ment of needy students (as defined in
8 section 312(d) of the Higher Edu-
9 cation Act of 1965 (20 U.S.C.
10 1058(d))).

11 “(iii) INSTITUTION OF HIGHER EDU-
12 CATION.—The term ‘institution of higher
13 education’ has the meaning given the term
14 in section 101 of the Higher Education
15 Act of 1965 (20 U.S.C. 1001).

16 “(iv) LOCAL EDUCATIONAL AGEN-
17 CY.—The term ‘local educational agency’
18 has the meaning given the term in section
19 9101 of the Elementary and Secondary
20 Education Act of 1965 (20 U.S.C. 7801).

21 “(v) MINORITY BUSINESS.—The term
22 ‘minority business’ includes HUBZone
23 small business concerns (as defined in sec-
24 tion 3(p) of the Small Business Act (15
25 U.S.C. 632(p))).

1 “(vi) MINORITY INDIVIDUAL.—The
2 term ‘minority individual’ means an Amer-
3 ican Indian, Alaskan Native, Black (not of
4 Hispanic origin), Hispanic (including per-
5 sons of Mexican, Puerto Rican, Cuban and
6 Central or South American origin), or Pa-
7 cific Islander individual.

8 “(vii) STATE.—The term ‘State’ has
9 the meaning given the term in section
10 9101 of the Elementary and Secondary
11 Education Act of 1965 (20 U.S.C. 7801).

12 “(viii) STATE EDUCATIONAL AGEN-
13 CY.—The term ‘State educational agency’
14 has the meaning given the term in section
15 9101 of the Elementary and Secondary
16 Education Act of 1965 (20 U.S.C.
17 7801).”.

18 **SEC. 3. AUTHORIZATION OF APPROPRIATIONS.**

19 There are authorized to be appropriated to the Sec-
20 retary of Commerce to carry out section 5(c) of the Ste-
21 venson-Wydler Technology Innovation Act of 1980—

22 (1) \$250,000,000 for fiscal year 2008; and

(2) such sums as may be necessary for each of the fiscal years 2009 through 2012.

Passed the House of Representatives September 4,
2007.

Attest: LORRAINE C. MILLER,
Clerk.

By JORGE E. SORENSSEN,
Deputy Clerk.